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8 Attorneys for Defendant
9 UNION SECURITY INSURANCE COMPANY,
10 formerly known as FORTIS BENEFITS
11 INSURANCE COMPANY

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13
14 UNITED STATES DISTRICT COURT
15
16 EASTERN DISTRICT OF CALIFORNIA

17 LYNDA M. PERRY, } Case No. 02:05-CV-00822-WBS
18 Plaintiff, } (DAD)
19 vs. } STIPULATION TO CONTINUE
20 FORTIS BENEFITS INSURANCE } MOTION FILING CUT-OFF, PRE-
21 COMPANY; GROUP LONG TERM } TRIAL CONFERENCE AND TRIAL
22 DISABILITY INSURANCE PLAN OF } DATES TO COMPLETE
23 BJ JORDAN CHILD CARE } MEDIATION; [PROPOSED] ORDER
24 PROGRAMS, INC., } Disc. Cutoff: November 25, 2005
25 Defendants. } Motion Cutoff: January 13, 2006
26 } Pre-Trial Conf.: January 17, 2006
27 } Trial: April 25, 2006
28 }
29 } Judge: Hon. William B. Shubb
30 }
31 } Complaint Filed: April 26, 2005

32 This Stipulation is made by and between plaintiff LYNDA M. PERRY
33 (“Plaintiff”) and defendant UNION SECURITY INSURANCE COMPANY
34 (“USIC”), formerly known as FORTIS BENEFITS INSURANCE COMPANY, by
35 and through their respective attorneys of record.

36 WHEREAS, the Court has ordered the following pertinent dates in this
37 matter:

38 a. Motion Filing Cut-Off: January 13, 2006.
39 b. Pre-Trial Conference: January 17, 2006, at 10:00 a.m.
40 c. Trial: April 25, 2006, at 9:00 a.m.

1 WHEREAS, the parties are actively engaged in good faith settlement
2 negotiations to resolve this matter and are scheduled to attend a private, voluntary
3 mediation with Ralph O. Williams III, Esq. of ADR Services, Inc., located at 1900
4 Avenue of the Stars, Suite 250, Los Angeles, California 90067, (310) 201-0010, on
5 January 26, 2006, the first date the parties, Mr. Williams and counsel are available
6 for mediation;

7 WHEREAS, the parties believe that an additional period of time will be
8 instrumental in enabling them to continue their settlement discussions, and the
9 parties wish to continue to focus their efforts and resources on settlement at this time
10 prior to incurring the attorneys' fees and costs required to prepare for the Pre-Trial
11 Conference and Trial;

12 WHEREAS, there have been no previous requests for or continuances of the
13 Motion Filing Cut-off, Pre-Trial Conference and Trial dates. The parties are
14 diligently pursuing this matter, and this continuance is not sought for the purposes of
15 delay;

16 WHEREAS, for the foregoing reasons and other good cause, the parties
17 respectfully request an extension and continuance of approximately sixty (60) days
18 of the dates set by this Court, as follows:

19 a. Motion Filing Cut-Off: March 17, 2006.
20 b. Pre-Trial Conference: March 31, 2006, at 10:00 a.m.
21 c. Trial: June 27, 2006, at 9:00 a.m.

23 IT IS HEREBY STIPULATED by and between Plaintiff and USIC, through
24 their respective attorneys of record, that the above-mentioned continued dates are
25 acceptable and will permit sufficient time for counsel to continue settlement
26 discussions, allowing for a more meaningful attempt at resolution of this matter
27 through private mediation.

28 | //

IT IS SO STIPULATED.

Dated: November _____, 2005

MESERVE, MUMPER & HUGHES LLP
LINDA M. LAWSON
CATHERINE V. PERRY

By:

Catherine V. Perry
Attorneys for Defendant
UNION SECURITY INSURANCE
COMPANY, formerly known as
FORTIS BENEFITS INSURANCE
COMPANY

10 || Dated: November ____ , 2005

SHERNOFF, BIDART & DARRAS LLP
FRANK DARRAS
MICHAEL HORROW

By:

Michael Horrow
Attorneys for Plaintiff
LYNDA M. PERRY

ORDER

Pursuant to the foregoing stipulation of the parties and good cause appearing,

18 **IT IS HEREBY ORDERED** that the dates previously scheduled by this
19 Court are hereby abrogated, and the dates in this matter, as referenced above, are
20 continued and scheduled as follows:

- a. Motion Filing Cut-Off: March 17, 2006.
- b. Pre-Trial Conference: March 31, 2006, at 10:00 a.m.
- c. Trial: June 27, 2006, at 9:00 a.m.

25 | Dated: November 18, 2005

William B. Shubb
WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE